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Marines Drop Most Severe Charge Against Moscow Embassy Guard

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WASHINGTON, May 15 — The Marine Corps announced today that it was dropping the most serious charge against a former Marine guard at the United States Embassy in Moscow — that he had allowed Soviet agents to roam through the compound.

The Marines affirmed that the guard, Sgt. Clayton J. Lonetree, would be court-martialed on espionage charges but said he would not face the death penalty.

Lieut. Gen. Frank E. Petersen Jr., commander of the Marine base in Quantico, Va., ordered military prosecutors to proceed with a court-martial on 13 of the original 24 counts against Sergeant Lonetree.

'Hearsay Evidence'

The general upheld charges that Sergeant Lonetree had provided classified documents to Soviet agents, but he dropped all charges that Soviet agents had been allowed inside the embassy. In a brief written statement, he said that those allegations were based on evidence that "consists principally of hearsay which is not admissible at trial."

Sergeant Lonetree and another Marine guard, Cpl. Arnold Bracy, had been charged with allowing Soviet agents to spend hours roaming highly sensitive areas of the embassy while the the marines were on guard duty in early 1986.

The case against the two men had begun to crumble in recent weeks when Corporal Bracy claimed that his initial incriminating statements had been coerced.

Sergeant Lonetree, 25 years old, still faces charges that he provided Soviet agents with classified embassy documents, including floor plans and office assignments for the embassies in Moscow and Vienna.

He is also accused of identifying to Soviet agents the American intelligence officers assigned to the Moscow Embassy, and of fraternizing with a Soviet woman.

The case has prompted an intensive review of security at American embassies throughout the world.

General Peterson ordered the court-martial to proceed on a "noncapital" basis, meaning that the death penalty would not be sought.

The Marine Corps said there was insufficient evidence to prove the "spe-

cial aggravating factors" required under military law to impose capital punishment. The sergeant could still receive life imprisonment.

His lawyer, William M. Kunstler, said in an interview that the decision to drop several charges was "good news."

Referring to the charges based on Corporal Bracy's testimony, he said, "They dropped all of the Bracy charges, which were the serious ones."

"We had some lingering thoughts that they might drop everything but the fraternizing," he said. "But I guess this was the best they could do to avoid looking totally ridiculous."

Charges are still pending against Corporal Bracy. In addition, two other marines have been implicated on related charges.

By dropping the most serious charges against Sergeant Lonetree, the Marine Corps, in effect, affirmed a key defense argument. The defense asserted that after Corporal Bracy recanted his statements earlier this year, there was insufficient evidence to prove that the guards had allowed Soviet agents inside the embassy compound.

Espionage Team

The Marine Corps, which is in charge of embassy security around the world, originally charged that Corporal Bracy and Sergeant Lonetree acted as an espionage team, one serving as a lookout while the other turned off alarms being activated by Soviet agents roaming through sensitive areas.

The Marine Corps said the court-martial of Sergeant Lonetree is tentatively scheduled to begin July 15 at Quantico.

Under military law, the decision to try Sergeant Lonetree was left to General Peterson, the commander of the Marine Corps's Development and Education Command. It is the unit that oversees all Marine embassy guards.

The case against Sergeant Lonetree began when he turned himself in on Dec. 14 in Vienna, where he had been routinely transferred after his Moscow duty. In January, he was formally ac-

cused of stealing embassy documents and passing them to Soviet agents.

In March, after the arrest of Corporal Bracy, the charges against Sergeant Lonetree were augmented to include allegations that he escorted Soviet agents through the embassy on "numerous" occasions last year.

Reversion on Charges

The new charges resulted from statements by Corporal Bracy to investigators. But the corporal has subsequently withdrawn the statements, saying they had been coerced.

In a statement, the Marine Corps warned that the charge that Sergeant Lonetree allowed Soviet agents into the embassy might someday be reinstated.

"There is still an ongoing criminal investigation," the statement said. "He could still be prosecuted for these offenses if the evidence justifies the charges."

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